

AMENDED IN SENATE MAY 6, 2009

**SENATE BILL**

**No. 641**

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**Introduced by Senator Corbett**

February 27, 2009

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An act to amend ~~Section 6140~~ of Sections 6008.6 and 6140 of, to add Section 6161.2 to, and to add Article 10.2 (commencing with Section 6174) to Chapter 4 of Division 3 of, the Business and Professions Code, relating to the State Bar Act.

LEGISLATIVE COUNSEL'S DIGEST

SB 641, as amended, Corbett. The State Bar Act: fees. Act.

Existing law, the State Bar Act, provides for the licensure and regulation of attorneys by the State Bar of California, a public corporation. Existing

(1) Existing law requires the State Bar to comply with specified standards applicable to state agency contracts when awarding a contract for goods, services, or both, for an aggregate amount in excess of \$50,000.

This bill would require the State Bar to comply with those standards when awarding a contract for information technology goods, as defined, services, or both, only when the contract is for an aggregate amount in excess of \$100,000.

(2) Existing law requires the Board of Governors of the State Bar to charge an annual membership fee to active members of up to \$315 for the year 2009.

This bill would require the board to fix the annual membership fee for active members for 2010 at a sum not to exceed \$315.

(3) Existing law also provides for the registration and regulation of law corporations, as defined. Existing law requires law corporations

*to apply to the State Bar for registration and to supply the State Bar with specified information. Existing law also requires law corporations to pay a registration fee and an annual renewal fee and specifies that all fees are paid into the treasury of the State Bar.*

*This bill would require these fees to be used for regulatory and disciplinary purposes.*

*(4) Existing law, the Uniform Partnership Act of 1994, provides for the registration and regulation of limited liability partnerships. The act requires a limited liability partnership providing professional services in this state to comply with the administrative registration or filing requirements of that profession's respective regulatory entity. In this regard, the State Bar, pursuant to its Rules of the State Bar, requires these partnerships to register with the State Bar by submitting an initial application and thereafter to renew annually and to include the payment of a fee in each of these instances.*

*This bill would require these fees to be used for regulatory and disciplinary purposes.*

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 6008.6 of the Business and Professions  
2     Code is amended to read:  
3     6008.6. The State Bar shall award no contract for goods,  
4     services, or both, for an aggregate amount in excess of fifty  
5     thousand dollars (\$50,000), *or for information technology goods,*  
6     *services, or both, for an aggregate amount in excess of one hundred*  
7     *thousand dollars (\$100,000),* except pursuant to the standards  
8     established in Article 4 (commencing with Section 10335) of  
9     Chapter 2 of Part 2 of Division 2 of the Public Contract Code. The  
10    State Bar shall establish a request for proposal procedure by rule,  
11    pursuant to the general standards established in Article 4  
12    (commencing with Section 10335) of Chapter 2 of Part 2 of  
13    Division 2 of the Public Contract Code. *For the purpose of this*  
14    *section, "information technology" includes, but is not limited to,*  
15    *all electronic technology systems and services, automated*  
16    *information handling, system design and analysis, conversion*  
17    *voice, video, and data communications, network systems, requisite*  
18    *facilities, equipment, system controls, stimulation, electronic*

1 *commerce, and all related interactions between people and*  
2 *machines.*

3 **SECTION 1.**

4 *SEC. 2. Section 6140 of the Business and Professions Code is*  
5 *amended to read:*

6 6140. (a) The board shall fix the annual membership fee for  
7 active members for 2010 at a sum not exceeding three hundred  
8 fifteen dollars (\$315).

9 (b) The annual membership fee for active members is payable  
10 on or before the first day of February of each year. If the board  
11 finds it appropriate and feasible, it may provide by rule for payment  
12 of fees on an installment basis with interest, by credit card, or other  
13 means, and may charge members choosing any alternative method  
14 of payment an additional fee to defray costs incurred by that  
15 election.

16 (c) This section shall remain in effect only until January 1, 2011,  
17 and, as of that date, is repealed, unless a later enacted statute, that  
18 is enacted before January 1, 2011, deletes or extends that date.

19 *SEC. 3. Section 6161.2 is added to the Business and Professions*  
20 *Code, to read:*

21 6161.2. *All fees for registration and renewal paid pursuant to*  
22 *Sections 6161 and 6161.1 shall be paid into the treasury of the*  
23 *State Bar and shall be used for its regulatory and disciplinary*  
24 *purposes.*

25 *SEC. 4. Article 10.2 (commencing with Section 6174) is added*  
26 *to Chapter 4 of Division 3 of the Business and Professions Code,*  
27 *to read:*

28  
29 *Article 10.2. Limited Liability Partnerships*  
30

31 6174. *Pursuant to subdivision (h) of Section 16953 of the*  
32 *Corporations Code, a limited liability partnership providing legal*  
33 *services shall comply with all administrative or filing requirements*  
34 *of the State Bar, including, but not limited to, the payment of fees,*  
35 *and all rules and regulations adopted by the board and approved*  
36 *by the Supreme Court. All fees shall be paid into the treasury of*  
37 *the State Bar and shall be used for its regulatory and disciplinary*  
38 *purposes.*

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